Attorney Docket No: 0178.210US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jeremy Minshull, et al.

Application No.: 09/920,607

Filed: July 31, 2001

For: BIOSENSORS, REAGENTS AND DIAGNOSTIC APPLICATIONS OF DIRECTED EVOLUTION Examiner: My Chau T. Tran

Art Unit: 1639

SPECIES ELECTION

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Species Election Requirement mailed December 9, 2004, Applicants request consideration of the following remarks. A petition for a three month extension of time authorizing the Commissioner to charge the requisite fee pursuant 37 C.F.R. § 1.17 is enclosed. The petition thus effectively extends the period of response from January 9, 2005 to April 9, 2005.

With regards to claims 69-72, the Examiner has requested the election of a single specific species of enzyme for the claimed plurality of enzymes. The Examiner directs the Applicants to the species identified in claims 131-133 and 136. Applicants hereby elect the species in claim 131, i.e., enzymes having specificity for a metabolite. Pending claims 69-72, 131, and 134-144 are readable on the elected species.

It is to be understood that this election of species is for purposes of preliminary search and examination only, and that upon allowance of a generic claim, applicants will be entitled to consideration of claims to the additional species.

Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set forth below. The

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Commissioner is hereby authorized to charge any deficiency in fees or credit any overpayment in connection with this submission to Deposit Account No. 50-0990.

Respectfully submitted,

April 7, 2005

Juaro By:

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MAXYGEN, INC. Patent Department 515 Galveston Drive Redwood City, California 94063 (650) 298-5421 (Tel.) (650) 298-5446 (Fax) Customer No. 30560

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